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Proposed Counsel to the Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
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In re:

PRIMA PASTA & CAFE, INC.,

Case No. 17-40760-ess

Debtor.

Chapter 11

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DEBTOR'S DECLARATION PURSUANT TO 11 U.S.C. § 1116

Antoinette Modica, president of the above-captioned debtor in possession ("Debtor"), hereby declares, to the best of her knowledge and belief, that the foregoing is accurate and true:

1. The Corporation filed a Chapter 11 petition on February 21, 2017. It operates a restaurant in Queens County.

2. The Debtor retained the services of Ortiz & Ortiz, L.L.P., as its bankruptcy counsel ("Counsel") after the case was filed. I understand that the firm's retention is subject to the Court's approval.

3. Counsel informed me that the Debtor is a small business debtor, as defined in 11 U.S.C. § 101(51D), and it is required to do the following:

(1) append to the voluntary petition its most recent balance sheet, statement of operations, cash-flow statement, and Federal income tax return; or

(2) append a statement made under penalty of perjury that no balance sheet, statement of operations, or cash-flow statement has been prepared and no Federal

tax return has been filed.

4. Attached is the Debtor's most recent Federal income tax return.
5. I do not have current access to the following, but will provide as soon as possible:
 - A. most recent balance sheet,
 - B. most recent statement of operations, and
 - C. most recent cash-flow statement.

I declare, under the penalty of perjury, that the foregoing is accurate and true.

Dated: March 20, 2017
Queens, New York

/s/Antoinette Modica
President

Form **1120**Department of the Treasury
Internal Revenue Service**U.S. Corporation Income Tax Return**For calendar year 2015 or tax year beginning 2/01, 2015, ending 1/31, 2016

OMB No. 1545-0123

2015► Information about Form 1120 and its separate instructions is at www.irs.gov/form1120.**A Check if:**

- 1 a** Consolidated return (attach Form 851) ☐
- b** Life/nonlife consolidated return ☐
- 2** Personal holding co. (attach Sch. PH) ☐
- 3** Personal service corp. (see instrs) ☐
- 4** Schedule M-3 attached ☐

**TYPE
OR
PRINT**PRIMA PASTA & CAFE, INC.
161-50B CROSS BAY BLVD
HOWARD BEACH, NY 11414-3441**B Employer identification number**

11-3099864

C Date incorporated

2/13/1992

D Total assets (see instructions)

\$ 72,341.

E Check if: (1) Initial return (2) Final return (3) Name change (4) Address change

INCOME	1 a Gross receipts or sales	1 a	738,179.
	b Returns and allowances	1 b	
	c Balance. Subtract line 1b from line 1a.	1 c	738,179.
	2 Cost of goods sold (attach Form 1125-A)	2	404,011.
	3 Gross profit. Subtract line 2 from line 1c.	3	334,168.
	4 Dividends (Schedule C, line 19)	4	
	5 Interest	5	
	6 Gross rents	6	
	7 Gross royalties	7	
	8 Capital gain net income (attach Schedule D (Form 1120))	8	
	9 Net gain or (loss) from Form 4797, Part II, line 17 (attach Form 4797)	9	
10 Other income (see instructions— attach statement)	10		
11 Total income. Add lines 3 through 10.	11	334,168.	
FOR DEDUCTIONS SEE INSTRUCTIONS ON DEDUCTIONS	12 Compensation of officers (see instructions— attach Form 1125-E)	12	15,600.
	13 Salaries and wages (less employment credits)	13	25,620.
	14 Repairs and maintenance	14	1,283.
	15 Bad debts	15	
	16 Rents	16	138,000.
	17 Taxes and licenses	17	7,382.
	18 Interest	18	5,349.
	19 Charitable contributions	19	0.
	20 Depreciation from Form 4562 not claimed on Form 1125-A or elsewhere on return (attach Form 4562)	20	367.
	21 Depletion	21	
	22 Advertising	22	150.
	23 Pension, profit-sharing, etc., plans	23	
	24 Employee benefit programs	24	
	25 Domestic production activities deduction (attach Form 8903)	25	
	26 Other deductions (attach statement)	26	SEE STATEMENT 1 114,926.
	27 Total deductions. Add lines 12 through 26.	27	308,677.
	28 Taxable income before net operating loss deduction and special deductions. Subtract line 27 from line 11.	28	25,491.
29 a Net operating loss deduction (see instructions)	29 a	SEE ST 2 25,491.	
b Special deductions (Schedule C, line 20)	29 b		
c Add lines 29a and 29b.	29 c	25,491.	
TAX CREDITS AND REFUNDABLE CREDITS	30 Taxable income. Subtract line 29c from line 28 (see instructions).	30	0.
	31 Total tax (Schedule J, Part I, line 11).	31	0.
	32 Total payments and refundable credits (Schedule J, Part II, line 21).	32	0.
	33 Estimated tax penalty (see instructions). Check if Form 2220 is attached <input type="checkbox"/>	33	
	34 Amount owed. If line 32 is smaller than the total of lines 31 and 33, enter amount owed.	34	0.
	35 Overpayment. If line 32 is larger than the total of lines 31 and 33, enter amount overpaid.	35	
	36 Enter amount from line 35 you want: Credited to 2016 estimated tax <input type="checkbox"/> Refunded <input type="checkbox"/>	36	

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of officer

Date

OFFICER

Title

May the IRS discuss this return with the preparer shown below (see instructions)?

☒ Yes ☐ No**Paid Preparer Use Only**

Print/Type preparer's name

PAULA ALOIS

Preparer's signature

PAULA ALOIS

Date

Check ☐ if

self-employed

PTIN

P01923615

Firm's name ► AMBROSIO & BELLOTTI, CPAS PC

Firm's EIN ► 11-3579322

Firm's address ► 998 OLD COUNTRY ROAD, SUITE 2
PLAINVIEW, NY 11803-4981

Phone no. (516) 932-4900

Schedule C Dividends and Special Deductions
(see instructions)

	(a) Dividends received	(b) Percentage	(c) Special deductions (a) x (b)
1 Dividends from less-than-20%-owned domestic corporations (other than debt-financed stock).....		70	
2 Dividends from 20%-or-more-owned domestic corporations (other than debt-financed stock).....		80	
3 Dividends on debt-financed stock of domestic and foreign corporations.....		see instructions	
4 Dividends on certain preferred stock of less-than-20%-owned public utilities.....		42	
5 Dividends on certain preferred stock of 20%-or-more-owned public utilities.....		48	
6 Dividends from less-than-20%-owned foreign corporations and certain FSCs.....		70	
7 Dividends from 20%-or-more-owned foreign corporations and certain FSCs.....		80	
8 Dividends from wholly owned foreign subsidiaries.....		100	
9 Total. Add lines 1 through 8. See instructions for limitation.....			
10 Dividends from domestic corporations received by a small business investment company operating under the Small Business Investment Act of 1958.....		100	
11 Dividends from affiliated group members.....		100	
12 Dividends from certain FSCs.....		100	
13 Dividends from foreign corporations not included on lines 3, 6, 7, 8, 11, or 12.....			
14 Income from controlled foreign corporations under subpart F (attach Form(s) 5471).....			
15 Foreign dividend gross-up.....			
16 IC-DISC and former DISC dividends not included on lines 1, 2, or 3.....			
17 Other dividends.....			
18 Deduction for dividends paid on certain preferred stock of public utilities.....			
19 Total dividends. Add lines 1 through 17. Enter here and on page 1, line 4.....			
20 Total special deductions. Add lines 9, 10, 11, 12, and 18. Enter here and on page 1, line 29b.....			

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